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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 OAKLAND DIVISION

18 EPISTAR CORPORATION,
19

20 Plaintiff,

21 v.

22 PHILIPS LUMILEDS LIGHTING
COMPANY, LLC,
23

24 Defendant.
25

26 AND RELATED COUNTERCLAIMS
27
28

Case No. C 07-5194 CW

**[PROPOSED] ORDER GRANTING
PHILIPS LUMILEDS LIGHTING
COMPANY'S MOTION TO FOR
JUDGMENT ON THE PLEADINGS WITH
RESPECT TO EPISTAR'S FIRST, THIRD,
AND FOURTH CLAIMS FOR UNFAIR
COMPETITION AND TORTIOUS
INTERFERENCE**

**[PROPOSED] ORDER GRANTING LUMILEDS' MOTION FOR
JUDGMENT ON THE PLEADINGS**

The Court having considered the papers submitted by the parties, the papers on file in this case, oral argument presented by counsel during the hearing, and good cause appearing, the Court hereby GRANTS Philips Lumileds Lighting Company, LLC's Motion to for Judgment on the Pleadings. The following causes of action asserted by plaintiff and counterdefendant Epistar Corporation against Philips Lumileds are hereby DISMISSED with prejudice:

- (1) Epistar's first cause of action for unfair competition under the Lanham Act;
- (2) Epistar's third cause of action for intentional interference with prospective economic advantage; and
- (3) Epistar's fourth cause of action for unfair competition under California Business and Professions Code section 17200.

The Court will enter judgment on these claims in Philips Lumileds' favor.

IT IS SO ORDERED.

Dated:

CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE